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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/797,770	02/07/1997	ANDREW D. BAROFSKY	4430-18	1692

20575 7590 08/03/2004

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1030 SW MORRISON STREET
PORTLAND, OR 97205

EXAMINER

PREBILIC, PAUL B

ART UNIT	PAPER NUMBER
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3738

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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51

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Commissioner for Patents

In response to the "Order Returning Undocked Appeal" to the Examiner, the Examiner notes that the correct applied prior art has been listed thereunder and the mentioned terminal disclaimers have been approved.

Specifically, the Examiner is merely relying on Appellants' description or admission pertaining to the Bedell-Hogan, et al article not the article itself. In other words, the description on page 1, lines 12-23 of the present specification is being relied upon.

In addition, both terminal disclaimers filed December 3, 2001, and the terminal disclaimer filed March 24, 2003 have been approved.

The Examiner regrets and inconvenience that these matters may have caused the Board of Appeals or the Appellants. The application is promptly being refowarded to the Board of Appeals for consideration of the Appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Prebilic whose telephone number is (703) 308-2905. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott, can be reached on (703) 308-2111. The fax phone number for this Technology Center is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 3700 receptionist whose telephone number is (703) 308-0858.

Paul Prebilic
Primary Examiner
Art Unit 3738